

REMARKS

Claims 1-4, 6-18, 20-26 and 28-31 are currently pending in the subject application and are presently under consideration. Claims 1, 13, 23, 24, 25, 26 and 31 have been amended herein. A listing of all claims can be found at pages 2-8. The below comments present in greater detail distinctive features of applicants' claimed invention that distinguish over the cited reference that were conveyed to the Examiner over the telephone on March 28, 2008.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1, 6-13, 16, 18, 20-22, 25, 26 and 28 Under 35 U.S.C. §103(a)

Claims 1, 6-13, 16, 18, 20-22, 25, 26 and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Curtis (U.S. 6,442,754) in view of Kawamata *et al.* (U.S. 6,820,259), and in view of Noble *et al.* (U.S. 5,845,128), and in view of Kruger *et al.* (U.S. 6,367,075). This rejection should be withdrawn for at least the following reasons. None of the cited reference teach or suggest all limitations of the subject claims.

“Under 35 U.S.C. 103 where the examiner has relied on the teachings of several references, the test is whether or not the references viewed individually and collectively would have suggested the claimed invention to the person possessing ordinary skill in the art. It is to be noted, however, that citing references which merely indicated that isolated elements and/or features recited in the claims are known is not a sufficient basis for concluding that the combination of claimed elements would have been obvious. That is to say, there should be something in the prior art or a convincing line of reasoning in the answer suggesting the desirability of combining the references in such a manner as to arrive at the claimed invention... [I]t would not have been obvious to modify [the prior art] ... without using [the patent application's] claims as a guide. It is to be noted that simplicity and hindsight are not proper criteria for resolving the issue of obviousness.” *Ex parte Hiyamizu*, 10 USPQ2d 1393 (BPAI 1988).

The subject application relates to installation and removal of components that include one or more shared components. A shared component is a component or application that is used by one or more other components and that serves substantially no useful purpose by itself. (*See e.g.*, pg. 1, ¶[0001], pg. 2, ¶[0008], and pg. 5, ¶[0024].)

Claims 1, 6-12, 25, 26 and 28:

Independent claim 1 (from which claims 6-12 depend) recites *at least one shared component automatically subsumes one or more installation properties associated with previously installed shared components, the at least one property further comprises a reference count having a value indicative of a number of dependent components associated with the at least one shared component, dependency-related configuration data, or combinations thereof.*

Independent claims 25 and 26 (from which claim 28 depends) recite similar limitations.

Automatically subsuming one or more installation properties enables interoperability with other dependent components. (See e.g., pg. 20, ¶[0073].) Further, automatically subsuming one or more installation properties (reference count and/or dependency-related configuration data) helps ensure that a single and most updated version of a shared component is installed. (See e.g., pg. 12, ¶[0050]). The cited references do not teach or suggest such novel features.

In the Office Action, it is conceded that Curtis does not teach or suggest these features and Noble *et al.* is relied upon. Noble *et al.* relates to preserving application customizations. Generic software applications are provided that define a layout and functionality of on-screen database entry forms and are provided with preselected generic parameters. (See e.g., col. 1, lns. 26-39.) These customizations allow users to modify information and create reports. (See e.g., col. 1, lns. 20-25.) The potential customizations are identified (at process step 62) and a user validates the results (at process step 63) prior to the customizations being applied. (See e.g., col. 6, lns. 12-37.) Further, the customizations are not installation properties associated with previously installed shared components, the at least one property further comprises a reference count having a value indicative of a number of dependent components associated with the at least one shared component, dependency-related configuration data, or combinations thereof, as claimed. Noble *et al.* merely recites generic parameters that can have customizations applied through manual selection by a user.

Further, the other cited references, even when combined with Curtis and Noble *et al.* are silent with respect to at least one shared component automatically subsumes one or more installation properties associated with previously installed shared components. These references, including Noble *et al.* merely recite isolated elements of the subject claims. It should be noted that citing references which merely indicate that isolated elements and/or features recited in the

claims are known is not a sufficient basis for concluding that the combination of claimed elements would have been obvious, which is the case for the pending application.

Based on at least the above, none of the cited references teach or suggest all claim limitations. Accordingly, this rejection should be withdrawn and the subject claims allowed.

Claims 13, 16 18, and 20-22:

Independent claim 13 (from which claims 16, 18 and 20-22 depend) recites *a system that effectuates installation of components including at least one shared component comprising ... a setup manager that causes components to be installed according to the valid installation order, a separate shared installation of at least one shared component being implemented for each dependent component that depends on the at least one shared component, the separate shared installation is at least an abbreviated version of the at least one shared component*. Since the at least one shared component might have been installed already, for each additional dependent component, at least an abbreviated version of the at least one shared component can help ensure that files for a most recent or updated version of the shared component are installed at the end of the setup procedure. (See e.g., pg. 12, ¶[0048].) The cited references do not teach or suggest such novel features.

Curtis relates to a system for checking dependencies of installed software components during installation and uninstallation. During program processing, the dependent objects are installed before installation of the independent objects. Curtis can further determine an operating system command that is capable of determining whether the dependent components indicated in a dependency object are installed to protect against errors during installation. However, this is not a separate shared installation of at least one shared component for *each* dependent component, the separate shared installation is at least an abbreviated version of the at least one shared component, as claimed. The other cited references are silent regarding the novel limitations recited in claim 13 (and the claims that depend there from).

Based on at least the above, the combine of Curtis, Kawamata *et al*, Noble *et al*. and Kruger *et al*. fail to teach or suggest all limitations recited in the subject independent claims and, therefore, the claims that depend there from. Accordingly, this rejection should be withdrawn and the subject claims allowed.

II. **Rejection of Claims 2-4, 14, 15, 17, 29 and 30 Under 35 U.S.C. §103(a)**

Claims 2-4, 14, 15, 17, 29 and 30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Curtis, in view of Kawamata *et al.*, in view Noble *et al.*, and in view of Kruger *et al.* as applied to claims 1, 13 and 26 above, respectively, and further in view of Taylor (U.S. 5,721,824). This rejection should be withdrawn for at least the following reasons. None of the cited references, alone or in combination, teach or suggest all claim limitations.

Claims 2-4 depend from independent claim 1; claims 14, 15, and 17 depend from independent claim 13; and claims 29 and 30 depend from independent claim 26. As discussed above, none of the cited references teach or suggest all limitations of the independent claims, and therefore, cannot teach or suggest all limitations of claims that depend there from. Specifically, claim 1 recites ***at least one shared component automatically subsumes one or more installation properties associated with previously installed shared components, the at least one property further comprises a reference count having a value indicative of a number of dependent components associated with the at least one shared component, dependency-related configuration data, or combinations thereof.*** Claim 26 recites similar limitations. As discussed above, none of the cited references teach or suggest such novel features. Claim 13, recites ***a separate shared installation of at least one shared component being implemented for each dependent component that depends on the at least one shared component, the separate shared installation is at least an abbreviated version of the at least one shared component.*** As discussed above, the cited references do not teach or suggest these limitations.

Taylor relates to a first installation and a second installation that includes the installation of missing dependent components. The second installation starts by reading a dependency list and making note of dependent packages that have not been installed. Only the packages that have not been installed during the first installation are installed in the second installation. However, Taylor fails to teach or suggest the above noted features of independent claims 1 and 13, and therefore, does not overcome the aforementioned deficiencies of Curtis, Kawamata *et al.*, Noble *et al.* and Kruger *et al.*

Based on at least the above, the cited references do not teach or suggest all limitations of the independent claims and, therefore, the claims that depend there from. Accordingly, this rejection should be withdrawn and the subject claims allowed.

III. Rejection of Claims 23 and 24 Under 35 U.S.C. §103(a)

Claims 23 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Curtis in view of Kawamata *et al.* in view of Taylor *et al.* in view of Kruger *et al.* and in view of Noble *et al.* This rejection should be withdrawn for at least the following reasons. None of the cited references teach or suggest all claim limitations.

Independent claim 23 recites *a shared component being installed for a first dependent component during a first part of installation, at least an abbreviated version of the shared component being installed for each other dependent component during a second part of the installation separate from the first part.* Independent claim 24 recites similar limitations. Since each shared component has already been installed once during the first part of installation, the installation may be abbreviated for each additional dependent component, which can help ensure that files for a most recent or updated version of the shared component are installed at the end of the setup procedure. (See *e.g.*, pg. 12, ¶[0048]). The cited references do not teach or suggest such features.

Taylor relates to a first installation and a second installation including the installation of missing dependent components. The second installation begins by reading a dependency list and making note of dependent packages that have not been installed. Only the packages that have not been installed during the first installation are installed in the second installation. However, Taylor fails to teach or suggest a shared component being installed for a first dependent component during a first part of installation, at least an abbreviated version of the shared component being installed for each other dependent component during a second part of the installation separate from the first part, as claimed. The other references are silent regarding these limitations.

Based on at least the above, none of the cited references, alone or in combination, teach or suggest all claim limitations. Accordingly, it is requested that this rejection be withdrawn and the subject claims allowed.

IV. Rejection of Claim 31 Under 35 U.S.C. §103(a)

Claim 31 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Curtis in view of Kawamata *et al.* in view of Taylor *et al.* and in view of Noble *et al.* This rejection should

be withdrawn for at least the following reasons. None of the cited references teach or suggest all claim limitations.

Claim 31 recites *effecting installation of at least an abbreviated version of a shared component for each other dependent component during a second part of an installation separate from a first part, the shared component acquires one or more extant properties associated with a shared component made obsolete and removed by installation of the shared component*. Since each shared component has already been installed once during the first part of installation, the installation may be abbreviated for each additional dependent component, which can help ensure that files for a most recent or updated version of the shared component are installed at the end of the setup procedure. (See e.g., pg. 12, ¶[0048]). The cited references do not teach or suggest such features.

As previously discussed, Taylor relates to a first installation and a second installation including the installation of missing dependent components. The second installation starts by reading a dependency list and making note of dependent packages that have not been installed. Only the packages that have not been installed during the first installation are installed in the second installation. However, Taylor fails to teach or suggest effecting installation of at least an abbreviated version of a shared component for each other dependent component during a second part of an installation separate from a first part, the shared component acquires one or more extant properties associated with a shared component made obsolete and removed by installation of the shared component, as claimed. The other references are silent regarding these limitations.

Accordingly, based on at least the above, none of the cited references, alone or in combination, teach or suggest all claim limitations. Accordingly, this rejection should be withdrawn and the subject claims allowed.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP195US]

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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